



STATE OF MICHIGAN
TERRI LYNN LAND, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

MEMORANDUM

DATE: March 28, 2006
TO: Judicial Candidates
FROM: Michigan Department of State, Bureau of Elections
SUBJECT: Redesignated Judicial Positions

*** * * IMPORTANT NOTICE * * ***

This memo provides notice of those “incumbent” judicial positions which have been redesignated as “non-incumbent” positions due to the incumbent’s failure to file for reelection by March 27, 2006 – the filing deadline imposed on judicial incumbents who wish to gain access to the August 8 primary ballot through the submission of an Affidavit of Candidacy. This notice is provided in compliance with PA 218 of 1999.

Background

PA 218 of 1999 stipulates that in instances where a candidate for Court of Appeals Judge, Circuit Court Judge, District Court Judge, Probate Court Judge or Probate District Court Judge seeks election in a district where there are a combination of “new” positions, “incumbent” positions and/or “non-incumbent” positions to fill, the candidate must “apply to the Bureau of Elections for a written statement of office designation to correspond to the judgeship sought by the candidate.”

PA 218 of 1999 further directs the Bureau of Elections to designate a judicial position as an “incumbent” position in any instance where (1) there is an incumbent judge eligible to seek reelection to the position and (2) the deadline for filing the Affidavit of Candidacy has not yet elapsed. If the incumbent judge does not file for reelection by the deadline for submitting an Affidavit of Candidacy, the amendment directs the Bureau of Elections to (1) redesignate the position as a “non-incumbent” position (2) notify all candidates seeking election in the judicial district that a “non-incumbent” position exists. The amendment further stipulates that in such instances, (1) nominating petition sheets circulated for the “non-incumbent” position subsequent to the Affidavit of Candidacy filing deadline “shall bear an office designation of non-incumbent position” and (2) signatures collected prior to the Affidavit of Candidacy filing deadline “may be filed with the non-incumbent nominating petitions.”

The Affidavit of Candidacy filing deadline established for the August 8, 2006 primary elapsed on March 27, 2006.

Redesignated Judicial Positions

The “incumbent” judicial positions which have been redesignated as “non-incumbent” positions are shown below. In each case, *all* positions available are listed to avoid any confusion over the position or positions which have been redesignated.

Initial Designation

3rd Circuit Court

19 Regular Terms – Incumbent Positions
1 Regular Term, – Non-Incumbent Position
4 Partial Terms, Ending 2009 – Incumbent Positions

9th Circuit Court

2 Regular Terms – Incumbent Positions

18th District Court

1 Regular Term - Incumbent Position

53rd District Court

1 Regular Term – Incumbent Position
1 Partial Term – Incumbent

72th District Court

1 Regular Term – Incumbent Position

Redesignation

3rd Circuit Court

18 Regular Terms – Incumbent Positions
2 Regular Term, – Non-Incumbent Positions
4 Partial Terms, Ending 2009 – Incumbent Positions

9th Circuit Court

1 Regular Term – Incumbent Position
1 Regular Term – Non-Incumbent Position

18th District Court

1 Regular Term – Non-Incumbent Position

53rd District Court

1 Regular Term – Non-Incumbent
1 Partial Term – Incumbent

72th District Court

1 Regular Term – Non-Incumbent Position

Alpena Probate Judge

1 Regular Term - Incumbent Position

Crawford Probate Judge

1 Regular Term - Incumbent Position

Jackson Probate Judge

1 Regular Term - Incumbent Position

Livingston Probate Judge

1 Regular Term - Incumbent Position

Montcalm Probate Judge

1 Regular Term – Incumbent Position

Oceana Probate Judge

1 Regular Term - Incumbent Position

Ogemaw Probate Judge

1 Regular Term - Incumbent Position

St. Clair Probate Judge

1 Regular Term - Incumbent Position

Alpena Probate Judge

1 Regular Term – Non-Incumbent Position

Crawford Probate Judge

1 Regular Term – Non-Incumbent Position

Jackson Probate Judge

1 Regular Term – Non-Incumbent Position

Livingston Probate Judge

1 Regular Term – Non-Incumbent Position

Montcalm Probate Judge

1 Regular Term – Non-Incumbent Position

Oceana Probate Judge

1 Regular Term – Non-Incumbent Position

Ogemaw Probate Judge

1 Regular Term – Non-Incumbent Position

St. Clair Probate Judge

1 Regular Term – Non-Incumbent Position